

13 Rec'd PCT/PTO 13 MAR 2006



Docket No.: NHL-NP-49-NP  
Serial No.: 10/528,748  
Customer No.: 00432

47

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXAMINER: (NOT YET RECEIVED)  
ART UNIT: (NOT YET RECEIVED)  
SERIAL NO.: 10/528,748  
FILING DATE: March 22, 2005  
INVENTORS: Claas JUNGHANS, Matthias SCHROFF, Christiane JUHLS, and Detlef OSWALD  
TITLE: VACCINE AGAINST ONCOVIRUS INFECTIONS, SUCH AS INFECTIONS BY FELINE LEUKOSIS VIRUS OF THE CAT

Greensburg, Pennsylvania 15601

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 9, 2006

TRANSMITTAL LETTER

Sir:

Please find enclosed herewith the following documents relating to the above-cited case:

- 1) a Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- 2) a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- 3) an executed Declaration and Power of Attorney document;
- 4) a Preliminary Amendment having 8 pages;
- 5) a Petition for Extension of Time Under 37 C.F.R. §1.136(a) from November 13, 2005 until March 13, 2006;
- 6) a check in the amount of \$795.00, representing the four-month extension of time fee for a Small Entity;
- 7) an Authorization to Withdraw from Deposit Account and a duplicate copy thereof; and
- 8) a stamped, self-addressed postcard, return of which is requested to acknowledge receipt of the enclosed documents.

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TRANSMITTAL LETTER  
Page 2

[X] Small entity status: Applicant claims small entity status. See 37 C.F.R. 1.27.

It is believed that no further fee is required to file the enclosed documents.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 9, 2006.

Respectfully submitted,



Nils H. Ljungman, Esq.  
Attorney for Applicant[s]  
Reg. No. 25,997  
Name of person signing certification  
Nils H. Ljungman & Associates  
P.O. Box 130  
Greensburg, PA 15601-0130  
Telephone: (724) 836-2305  
Facsimile: (724) 836-2313

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 9, 2006.

  
Signature

Vivian W. Toohey  
Name of person mailing paper or fee

March 9, 2006  
Date

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Alexandria, VA 22313-1450

March 9, 2006

**AUTHORIZATION TO WITHDRAW FROM DEPOSIT ACCOUNT**

Sir:

If a fee is required to avoid abandonment, the Commissioner is hereby authorized to charge any fee, or credit any overpayment, to Deposit Account No. 12-1758. A duplicate copy of this authorization is enclosed.

Respectfully submitted,



Nils H. Ljungman, Esq.  
Attorney for Applicant[s]  
Reg. No. 25,997  
Name of person signing certification  
Nils H. Ljungman & Associates  
P.O. Box 130  
Greensburg, PA 15601-0130  
Telephone: (724) 836-2305  
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**REC'D PCT/PTC 13 MAR 2006**

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Greensburg, Pennsylvania 15601

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 9, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371 IN THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

The, Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on September 13, 2005, a copy of which is enclosed herewith, requires that additional claim fees of \$930.00, and a Declaration signed by the inventors be submitted by November 13, 2005, which is two months from the mailing date of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), relating to the above-cited patent application.

Small entity status: Applicant claims small entity status. See 37 C.F.R. 1.27.

A Preliminary Amendment has been prepared in order to eliminate the additional claims. Therefore, it is respectfully submitted that extra claim fees are no longer required.

This case was filed without a Declaration because an application with a Declaration attached thereto was not received by the Attorney of Record by the Convention Date. Therefore, in order to comply with the filing requirements, a Declaration citing the above-identified application by its serial number and filing date is enclosed herewith. Priority was claimed under 35 U.S.C. §119 at the time of

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filing of the above-cited application.

The undersigned attorney of record hereby states that the invention recited in the Declaration enclosed herewith is identical to the invention captioned above.

As requested by the Notice to File Missing Parts of Nonprovisional Application, all required documents are enclosed herewith.

If mailed, I, the person signing this certification below, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated in the certification of mailing on the transmittal letter sent herewith, or if facsimile transmitted, I, the person signing this certification below, hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated in the certification of facsimile transmission on the transmittal letter which is being facsimile transmitted herewith.

Respectfully submitted,



Nils H. Ljungman, Esq.  
Attorney for Applicant[s]  
Reg. No. 25,997  
Name of person signing certification  
Nils H. Ljungman & Associates  
P.O. Box 130  
Greensburg, PA 15601-0130  
Telephone: (724) 836-2305  
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(2)



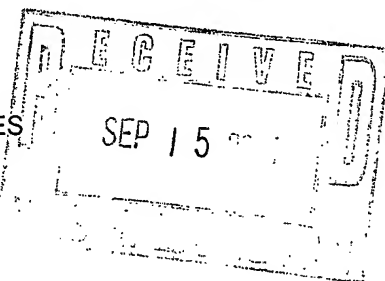
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/528,748	FIRST NAMED APPLICANT Claas Junghans	ATTY. DOCKET NO. NHL-NP-49-NP
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432

NILS H. LJUNGMAN & ASSOCIATES  
 P. O. BOX 130  
 GREENSBURG, PA 15601-0130



INTERNATIONAL APPLICATION NO. PCT/DE03/03179	
I.A. FILING DATE 09/23/2002	PRIORITY DATE

CONFIRMATION NO. 9385

371 FORMALITIES LETTER



\*OC000000016971852\*

Date Mailed: 09/13/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/22/2005
- Biochemical Sequence Diskette filed on 03/22/2005
- Oath or Declaration filed on 03/22/2005
- Biochemical Sequence Listing filed on 03/22/2005
- Small Entity Statement filed on 03/22/2005
- Request for Immediate Examination filed on 03/22/2005
- U.S. Basic National Fees filed on 03/22/2005
- Priority Documents filed on 03/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$930 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - see decision dated 31 aug 2005 also u need to send in a prem amendment is if want to cancel all multiple claims

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$930 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 930
  - \$100 for 1 independent claims over 3.
  - \$650 for 26 total claims over 20.
  - \$180 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

- The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,748	PCT/DE03/03179	NHL-NP-49-NP